

E-filed 5/1/06

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Attorneys for Defendants
CITY OF SAN JOSE, HAPPY HOLLOW PARK & ZOO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERI SMITH,

Plaintiff,

vs.

HAPPY HOLLOW PARK & ZOO; HAPPY
HOLLOW CORPORATION; CITY OF
SAN JOSE; and DOES 1-25

Defendants.

NO. C04 01178 JF

**STIPULATION TO CONTINUE APRIL
28, 2006 CASE MANAGEMENT
CONFERENCE AND ORDER
THEREON**

Plaintiff Teri Smith and Defendants Happy Hollow Park & Zoo and City of San Jose, by and through their attorneys of record, hereby stipulate that the April 28, 2006 Further Case Management Conference in this matter be rescheduled to **May 26, 2006 at 10:30 a.m.** Good cause exists for this extension in that:

- 1) The parties participated in productive settlement conferences before Magistrate Patricia V. Trumbull on August 29, 2005 and March 29, 2006;
- 2) The parties are currently scheduled to participate in a further settlement conference before Magistrate Trumbull at 10:00 a.m. on April 28, 2006;
- 3) The parties wish to avoid incurring unnecessary attorney's fees and costs; and
- 4) The parties believe the Case Management Conference will be more productive or unnecessary after they have completed this further settlement conference.

1 Dated: April 17, 2006

RICHARD DOYLE, City Attorney

2
3 BY: /s/ Brian C. Hopper

4 BRIAN C. HOPPER
Deputy City Attorney

5 Attorneys for Defendants
6 CITY OF SAN JOSE, HAPPY HOLLOW
7 PARK & ZOO

8 Dated: April 17, 2006

THIMESCH LAW OFFICES

9 By: /s/ Timothy Timesch

10 TIMOTHY TIMESCH, ESQ.
11 Attorneys for Plaintiff
TERI SMITH

12 I attest that Plaintiff has approved and signed this document, and given consent to
13 the filing of the same with the court.

14 Dated: April 18, 2006

RICHARD DOYLE, City Attorney

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16 BY: /s/ Brian C. Hopper

17 BRIAN C. HOPPER
Deputy City Attorney

18 Attorneys for Defendants
19 CITY OF SAN JOSE, HAPPY HOLLOW
20 PARK & ZOO

21
22 **ORDER**

23 Pursuant to the stipulation by the parties hereto and good cause appearing therefor,
24 the April 28, 2006 Further Case Management Conference is hereby rescheduled to 10:30
25 a.m. on May 26, 2006.

26 Dated: 4/27/06

27 
28 JEREMY FOGEL
UNITED STATES DISTRICT JUDGE